IN RE: PETITION FOR ZONING VARIANCE

Longnecker Road

Petitioners

(4232 Butler Road)

4th Election District

requested variance should be granted.

N/S Butler Road, 900' W of

3rd Councilmanic District

Rene L. Herbst, Jr., et ux

RE: Petition for Zoning Variance N/S Butler Road, 500' w of Longnecker Road 4th Election District, 3rd Councilmanic District Case No. 88-306-A

Mr. & Mrs. Merbst: Enclosed please find the decision rendered on the above-referenced case. etition for Zoning Variance has been Granted, subject to the restrictions

.

MEMORANDUM AND ORDER

the required 35 feet for a propose garage, as more particularly described on

The Petitioners appeared and testified. There were no Protestants.

The Petitioners herein request a rear yard setback of 18 feet in lieu of

Based upon the testimony and evidence presented at the hearing, all of

Pursuant to the advertisement, posting of the property, and public hear-

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore

ing on this Petition held, in the opinion of the Deputy Zoning Commissioner, the

County this 1.00 day of March, 1988 that a rear yard setback of 18 feet in

lieu of the required 35 feet for a proposed garage, in accordance with Petition-

er's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is

hereby GRANTED, subject, however, to the following restrictions:

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 89-306-A

in the attached Order. In the event the decision rendered is unfavorable to any party, please te advised that any party may file an appeal to the Courty Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTAROWICZ Deputy Zoning Commissioner of Baltimore County

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order tas expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible " " Teturning, said property to its original condition.

2) Prior to the issuance of any building permits, the Petitioner shall submit a revised site plan in accordance with the State Highway Administration requirements as set forth in their letter dated November 10, 1987 from Creston J. Mills, Jr., Acting Chief - Bureau of Engineering Access Permits, to J. Robert Haines, Zoning Commissioner.

> Deputy Zoning Commissioner of Baltimore County

JNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md. Jan. 22, 1988 RTIFY that the annexed Req.# M10710 P.O.# 95571 Jay of January....., 1988...., in the

County Times, a daily newspaper published in Westminster, Carroll County, Maryland. stown News, a weekly newspaper published in Baltimore County, Maryland. inity Times, a weekly newspaper published in Baltimore County, Maryland. MUNITY NEWSPAPERS OF MARYLAND, INC.

Per Jama Keester

CERTIFICATE OF PUBLICATION

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified below in Room 106 of the County (1975). Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows: Case number: 88-306-A N/S Butter Road, 907 W of Long necker Road, (4232 Butter Road 4th Election District — 3rd Council-manic District Petitioners: Rene I . Facilist, Jr., et ux 10, 1968 at 9:00 a.m. Vanance to permit a rear yard set-back of 18 feet in lieu of the required In the event that this Petition is in the event that it can be a stated within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the carrier of the hearing.

et above or presented at the hear-

J. ROBERT HAINE

NOTICE OF HEARING

Towson, MD., Jan 21, 1988 THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Jan. 21, 1988

THE JEFFERSONIAN,

Guan Sender Obrect

PETITON FOR ZONING VORIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A01.3.B.3 to permit a rear yard setback of 18 feet in lieu of the required 35 feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. To construct garage within 18ft. of adjoining lot line. 1253.df The existing house was built within 22 feet of the side property line and 50 feet of the rear property line with the criveway along the side with the minimum setback. The proposed room addition if for a laundry area, home office, two car garage and much-needed storage area. Because of the existing driveway configuration, the

interior layout of the rooms and the well and septic location, the N.O.O.Y.O.Y.O.

Property is to be posted and advertised as prescribed by Zoming Regulations. W-51, 115. variance here is requested.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

qwners desire for an attached garage for security purposes and the

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): Mr. Rene J. Herbst, Jr. (Type or Print Name) Renelation but to Mxs, Carolyn G. Herbst (Type or Print Name) City and State 4232 Butler Rd. 301-833-5407 Glyndon, Maryland 21071 tract purchaser or representative to be contacted Mr. & Mrs. Rene L. Herbst. Jr. Name 4232 Butler Road Glyndon, Md. 21071 301-833-5407 Attorney's Telephone No.: ORDERED By The Zoning Commissioner of Baltimore County, this 1326 day

County, on the 10th day of Jet , 1988, at 2 o'clock J. Robert Grunes

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 J. Robert Haines December 2, 1987

FER 0 2 1988 Mr. & Mrs. Rene L. Herbst, Jr. 4232 Butler Road

Dennis F. Rasmussen

Ret Case number: 88-306-A N/S Butler Road, 900 W of Longnecker Road (4232 Butler Road) 4th Election District - 3rd Councilmanic District Petitioners: Rene L. Herbst, Jr., et ux

Dear Mr. & Mrs. Herbst:

Glyndon, Maryland 21071

Please be advised that 70.48 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior ato the hearing. Do not remove the sign(s) from the property from the time it ported by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

BALTIMORE COUL	NTY, MARYLAND REVENUE DIVISION CASH RECEIPT	No.	45359 Francisco	s,
MISCELLANEOUS 2/10	CASH RECEIPT	1.71-1	11 1000	<u>)</u>
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ZONING DESCRIPTION

Beginning for the same at a point in or near the center of Butler Road at the beginning of the north 38 degrees west 684 perches line of the described tract of land mentioned in deed from Jacob D. Geist and Wife to Ruben P. Geist dated Dec. 7, 1906 and recorded June 28, 1911 among the Land Records of Baltimore County in Liber W.P.C. No. 374 folio 456 running thence as surveyed Nov. 1946 by said line north 34 degrees west 16.5 feet to a pipe on the northwest side of said road still north 34 degrees west 201.5 feet to a pipe thence by lines of division north 80 degrees east 218 feet to a stake south 34 degrees east 201.5 feet to an iron stake on the northwest side of said road still south 34 degrees east 16.5 feet to or near the center of said road thence by cernter of said road south 80 degrees west 218 feet to the beginning. Containing 1 acre of land, more or less.

Located on the north side of Butler Road, 900' west of Longnecker Road in the 4th Election District. Known as 4232 Butler Road.

CERTIFICATE OF POSTING

Variance Posted for:

Posted for:

Posted for:

Reme J. Hubst J. et us

Location of property: N/S of Butler 900' W of Fongerwhere Read

(4232 Butler First)

Location of Signer Chr. front of 4232 Butler Read

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Marylani as follows:

Case number: 88-306-A N/S Butler Road, 900' W of Longnecker Road (4232 Futler Road) 4th Election Pistrict - 3rd Councilmanic District Petitioners: Rene L. Herbst, Jr., et ux DATE/TIME: VEDNESDAY, FEDRUARY 10, 1988 at 9:00 a.m.

Variance to permit a rear yard setback of 18 feet in lieu of the required

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	No.	41753	oning Commissioner of altimore County
DATE 1995/3 4 ACCOUNT 1/	. <u> </u>		_
AMOUNT_\$	15.00		·

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines TO Zoning Commissioner

December 21, 1987

Norman E. Gerber, AICP FROM Director of Planning and Zoning

Zuning Petition Nos. 88-304-A, 88-305-A, SUBJECT 88-306-A, 88-307-SPH, 88-308-A, 88-309-A

There are no comprehensive planning factors requiring comment on this petition.

NEG:JCH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE February 3, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Engineering

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Coning Administration

Board of Education

Industrial

Department of Traffic Engineering

State Roads Commission

Mr. Rene L. Herbst, 4232 Butler Road Glyndon, Maryland 21071

> RE: Item No. 154 - Case No. 88-306-A Petitioner: Rene L. Herbst, Jr., et ux Petition for Zoning Variance

Dear Mr. Herbst:

The Zoning Plars Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning plans or problems with regard to the development plans that may be a bearing on this case. The Director of Planning may file a as to the suitability of the requested zoning. as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours, Chairman Zoning Plans Advisory Committee

JED: kkb Enclosures State Highway Administration

Richard H. Trainor Hal Kassoff

November 10, 1987

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204 Att: James Dyer

Re: Baltimore County 1 Property Owner: Rene L. Herbst, Jr. Location: N/S Butler Road Maryland Route 128 Existing Zoning: R.C. 2 Proposed Zoning: Variance to permit a rear yard setback of 18' in lieu

of the required 35' ZONING OFFICE trice: 4th

Dear Mr. Haines:

On review of the submittal for the subject site, the State Highway Administration, Bureau of Engineering Access Permits finds the concept of the site plan generally acceptable but has the following comments.

This plan must be revised to show an existing right-of-way of 50' (25' half section) measured from the centerline of Butler

This plan must also show an ultimate right-of-way of 80' (40' half section) measured from the centerline of Butler Road.

It is requested that these revisions be made prior to a hearing date being set.

If you have any questions, please contact Larry Brocato of this office at 333-1350.

Creston J. Mills, Jr. Acting Chief-Bureau of Engineering Access Permits

cc: Herbst Residence

My telephone number is (301) 333-1350 Teletypewriter for impaired Hearing or Speech
383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County Fire Department Towson, Maryland 21204-2586

Paul H. Reinche Gud November 25, 1987

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Re: Property Owner: Rene L. Herbst, Jr., et ux

Location: N/S Butler Rd., 900 W. Longnecker Rd.

Zoning Agenda: Meeting of 11/3/87

Item No.: 154

Centlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Pro-tection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

Baltimore County Department of Public Works Towson, Maryland 21204

CP\$-008 /

Zaning Commissioner County Office Building

The Bureau of Traffic Engineering has no comments for items number 149, 150, 151, 152, 153, 154, 155, 156, and 158.

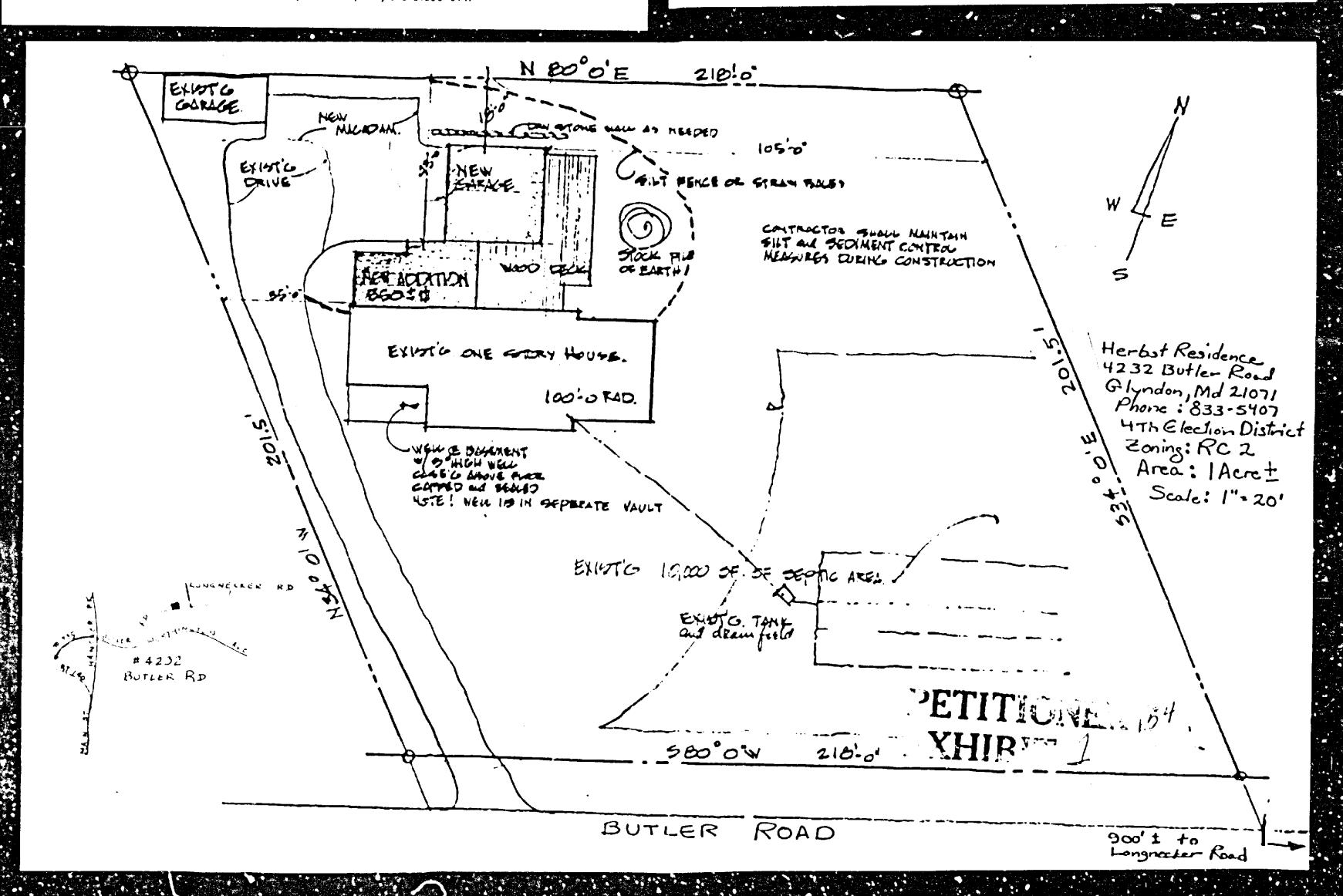
Very truly yours, Michael S. Flanigan
Traffic Engineer Associate II

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 13th day of November , 1987.

Petitioner Rene L. Herbst, Jr., et ux Received by: James E. Dyer Chairman, Zoning Plans

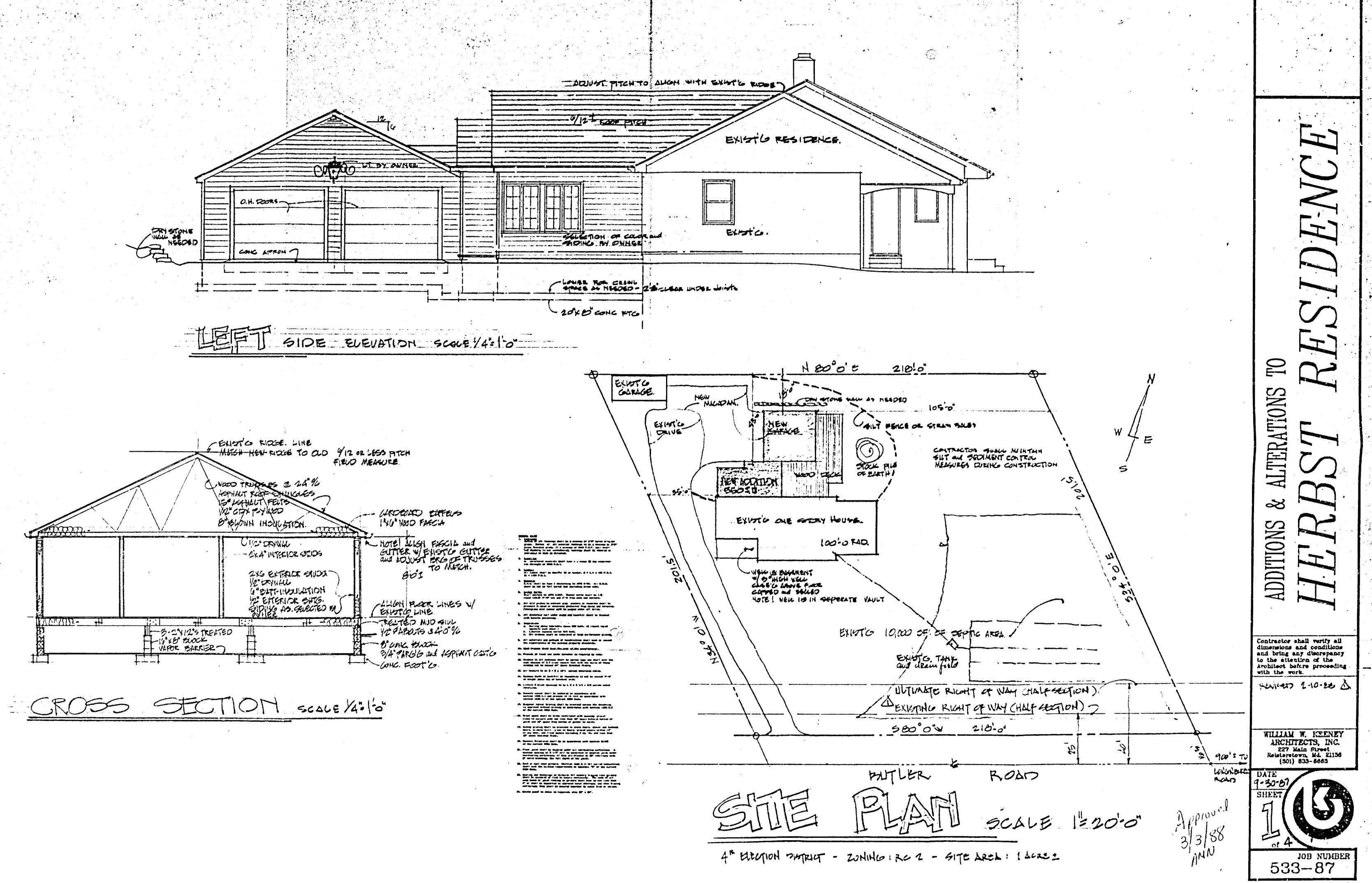


Burcau of Truffic Engineering Courts Building, Suite 405

Talson, Maryland 21204

Dear Zoning Commissioner:

MSF:sb



Case# 88-306A.